

Serial No. 44326

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 20 1981

Returned to applicant for correction _____

Corrected application filed _____ Map filed AUG 20 1981

The applicant Jess Sustacha

_____ of Lamoille
Street and No. or P.O. Box No. City or Town

Nevada 89828 hereby make _____ application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 41887

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.)

1. The source of water is Underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed .05 cfs
Second feet, acre feet, One second foot equals 448.83 gallons per minute.

3. The water to be used for Stockwater
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for 500 Cattle
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T 34 N, R 57 E, MDB & M.,
Describe as being within a 40-acre subdivision of public survey and by course and
at a point from which the NW Corner of said Section 5 bears N 32° 11' 37" W
distance to a section corner. If on unsurveyed land, it should be stated.
2231.92 feet.

6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot1), Section 31, T 35 N,
If point of diversion is not changed, do not answer.
R 57 E, MDB & M., at a point from which the E $\frac{1}{4}$ Corner of said Section 31
bears S 7° 21' 34" E 1407.21 feet.

7. Proposed place of use SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T 34 N, R 57 E, MDB & M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 1) Section 31, T 35 N, R 57 E, MDB & M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Well, Pump, Storage Tank and Troughs.
State manner in which water is to be diverted, i.e. diversion structure, ditches,
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$10,000

13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Jess Sustacha

By s/Alan S. Boyack
Alan S. Boyack, Agent
515 South Fifth Street
Elko, Nevada 89801

Compared js/sg ja/bl

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 41887 is issued subject to the terms and conditions imposed in said Permit 41887 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The issuance of this permit totally abrogates Permit 41887.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0156 cubic feet per second, or sufficient water to water 500 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before January 4, 1984

Proof of completion of work shall be filed before February 4, 1984

Application of water to beneficial use shall be made on or before January 4, 1986

Proof of the application of water to beneficial use shall be filed on or before February 4, 1986

Map in support of proof of beneficial use shall be filed on or before

FEB 24 1984

Completion of work filed IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed APR 28 1986 State Engineer of Nevada, have hereunto set my hand and the seal of

my office, this 4th day of JANUARY

Cultural map filed

Certificate No. 11587 Issued OCT 24 1986

A.D. 1983

